

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

AUSTIN MICHAEL BEBER,

Plaintiff,

vs.

NAVSAV HOLDINGS, LLC,

Defendant.

**8:23CV323**  
**8:23CV325**

**ORDER EXTENDING TEMPORARY  
RESTRAINING ORDER AND  
CONTINUING PRELIMINARY  
INJUNCTION HEARING**

CODY ROACH,

Plaintiff,

vs.

NAVSAV HOLDINGS, LLC,

Defendant.

These cases are before the Court on Defendant's Unopposed Motion to Continue the Preliminary Injunction Hearing and Consent to Extension of Temporary Restraining Order in each case. Case No. 8:23cv323, Filing 16; Case No. 8:23cv325, Filing 18. Defendant states that the parties have agreed to a continuance of the preliminary injunction hearing so long as the Temporary Restraining Order is also extended. Defendant also provided dates counsel for the parties are available for a rescheduled hearing. Defendants further requests that the Court extend the Temporary Restraining Order until the earlier of one week after the newly set preliminary injunction hearing is held or the issue is otherwise decided by this Court. Counsel for Plaintiffs confirmed his agreement to the requested continuance by email to the Court. Under the circumstances, the Court finds that extension of the Temporary Restraining Order as requested is

appropriate. *See* Fed. R. Civ. P. 65(b)(2) (permitting extension of a temporary restraining order for a period longer than 14 days upon consent of the opposing party). The Court also finds good cause to continue the preliminary injunction hearing. Accordingly,

IT IS ORDERED as follows:

1. The Ex Parte Temporary Restraining Order entered by the District Court of Douglas County, Nebraska, in this case on July 21, 2023, and currently set to expire at 5:00 p.m. CDT on August 14, 2023, is extend upon consent of Defendant to the earlier of 7 days after the preliminary injunction hearing scheduled below or the issue is otherwise decided by the Court pursuant to [Federal Rule of Civil Procedure 65\(b\)\(2\)](#). The Ex Parte Temporary Restraining Order remains in full force and effect until that time.

2. The joint hearing on the Motions for Preliminary Injunction in these cases currently scheduled for 9:30 a.m. CDT on Monday, August 7, 2023, is now continued to 9:00 a.m. CDT on Friday, August 18, 2023. All other requirements for the hearing remain in effect. No additional briefing or exhibits shall be filed except upon a motion showing exceptional necessity and an order of the Court.

DATED this 4th day of August, 2023.

BY THE COURT:



Brian C. Buescher  
United States District Judge